IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY NINTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 21789 of 2004

Between:

Singampalli Ramana, S/o. China Venkanna,
R/o. Annavaram Village, Chinthapalli Mandal,

Visakhapatnam District.

..... PETITIONER

AND

1 Government of Andhra Pradesh, Rep. by Principal Secretary,

Tribal Welfare Department,
Secretariat Buildings, Hyderabad.

2 District Collector-Cum-Chairman, Integrated Tribal Development Agency,
Paderu Mandal, Visakhapatnam District.

3 Project Officer, Integrated Tribal Development Agency,
Paderu Mandal, Visakhapatnam District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any Writ order or direction particularly one in the nature of MANDAMUS declaring the Proceedings leading up to and including Proceeding Rc.No.1410/2003/D1 dated 13-09-2004 of the third respondent herein as illegal, arbitrary, unconstitutional and consequently by nullifying the same direct the third respondent to release the Commander Jeep having Temporary Registration No.AP31 AMTR 7291 (Permanent Registration No.A.P31 9014) seized by the respondents forthwith by accepting the beneficiaries Unit share on the value of the vehicle.

Counsel for the Petitioner: DR.P.B.VIJAY KUMAR

Counsel for the Respondent Nos.1 to 3: GP FOR SOCIAL WELFARE

The Court made the following :

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ORAL ORDER:

The petitioner has filed this writ petition challenging the order, dated 13.9.2004 passed by the 3rd respondent.

Heard the learned counsel for both the parties.

The learned Government Pleader for Social Welfare has contended that in respect of the social status of the petitioner, an enquiry is going on and the writ petitioner is also participating in the enquiry and ultimate decision has to be taken by the 3rd respondent-Project Officer depending upon the evidence available on record.

The contention of the learned Government Pleader is not disputed or denied. Since an opportunity is given to the petitioner to participate in the enquiry, the impugned order does not suffer from any legal infirmities. So also, it is not desirable to grant any interim custody of the vehicle at this stage, since the enquiry is in progress.

Having regard to the facts and circumstances of the case, I deem it appropriate to direct the respondents to complete the enquiry within two months from the date of receipt of a copy of this order and take

appropriate decision as per the material available on record and in accordance with law.

With the above direction, the writ petition is disposed of. There shall be no order as to costs.

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(K.C. BHANU,J.)

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

29th November, 2004.

bcj

To

1 The Principal Secretary,

Tribal Welfare Department,

The Government of Andhra Pradesh,
Secretariat Buildings, Hyderabad.

2 The District Collector-Cum-Chairman, Integrated Tribal Development

Agency, Paderu Mandal, Visakhapatnam District.

3 The Project Officer, Integrated Tribal Development Agency,
Paderu Mandal, Visakhapatnam District.

4. Two CCs to G.P for Social Welfare, High Court Buildings,

Hyderabad(OUT).

5. Two CD copies